

Order

Michigan Supreme Court
Lansing, Michigan

June 28, 2011

Robert P. Young, Jr.,
Chief Justice

142884

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 142884
COA: 302044
Muskegon CC: 09-058275-FH

CALVIN MCKINLEY PAYNE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 10, 2011 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

CAVANAGH, J., would grant leave to appeal for the reasons set forth in his dissenting statement in *People v Smith*, 488 Mich 193, 202 (2010).



d0620

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 28, 2011

Corbin R. Davis

Clerk